IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE FOURTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI JUSTICE R.SUBHASH REDDY

WRIT PETITION NO : 18675 of 1995

Between:

1 Chintalapati Venkateswara Prasad,

S/o.late Sivarama Krishna Somayaji,

R/o.Potlapadu Village, Medukonduru Mandal, Guntur Dist.
2 Chintalapati Madhusudhana Sarma, S/o. Venkata Hanumantha

Rayadu, R/o.Potlapadu Village, Medukonduru Mandal,
Guntur Dist.

..... PETITIONERS

AND

1 The District Collector, Guntur Dist.
2 The Mandal Revenue Officer,

Medukonduru Mandal, Guntur Dist.
3 The Settlement Officer,
Abid Road, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a Writ, order or direction in the nature of Mandamus directing the 3rd respondent to issue Pattas to the petitioners under Section 13(b) (iii) of Act XXVI of 1948 in respect of Ac.4.52 cents in R.S.No.15 to each of the petitioners out of Ac.9.00, Ac.3.66 in S.No.22/1 and Ac.4.34 in R.S.No.8/1 to the 1st petitioner situated in Potlapadu Village (Sattenapalli Taluq), Medukonduru Mandalam, Guntur District.

Counsel for Petitioners: MR. E.V.BHAGIRATHA RAO

Counsel for Respondents: GOVERNMENT PLEADER FOR REVENUE

The Court made the following:

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ORDER:

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This writ petition is filed on the ground that in spite of the Assistant Settlement Officer, Eluru, has passed orders dated
05-10-1968 in S.R.No.15(1)10/63 GNT, for issuance of ryotwari pattas in favour of the petitioners for lands in R.S.No.9/1 admeasuring
Ac.4-52 cents in Potlapadu Village under Section 13(b)(iii) of the Estates Abolition Act, 1948, pattas are not being issued to the petitioners.

In the counter affidavit filed on behalf of the respondents, it is stated that the petitioners have not approached the second respondent, who is the Mandal Revenue Officer, Medikondur Mandal, for issuance of pattas. Further, it is stated, had the petitioners approached the Mandal Revenue Officer, Medikondur Mandal, their claims would have been considered.

In that view of the matter, I dispose of the writ petition permitting the petitioners to move before the second respondent for the relief sought for and if such application is filed, the second respondent is directed to consider for issuance of patta as per the entitlement and in view of the orders dated 05-10-1968 passed in S.R.No.(1)10/63 GNT by the Assistant Settlement Officer, Eluru.

Subject to the above directions, this writ petition is disposed of. No order as to costs.

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R.SUBHASH REDDY, J

04th February, 2005.

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ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The District Collector, Guntur District.
2 The Mandal Revenue Officer, Medukonduru Mandal,

Guntur District.
3 The Settlement Officer, Abid Road, Hyderabad.

4 Two CCs to the Government Pleader for Revenue,

High Court Buildings, Hyderabad (O.U.T).

5 Two CD copies.